

## CONFLICT OF INTEREST CODE OF HIGH TECH MIDDLE

### 1. Standard Code of FPPC

The Political Reform Act of 1974 (Government Code § 81000 *et seq.*) requires each state and local government agency to adopt and promulgate a conflict of interest code. As a local government agency, High Tech Middle, a California Charter School, is therefore required to adopt such a code. The Fair Political Practices Commission ("FPPC") has adopted a regulation (2 Cal. Code of Regs. § 18730) which contains the terms of a model conflict of interest code, which can be incorporated by reference as an agency's code. After public notice and hearing, the regulation may be amended by the FPPC to conform to amendments in the Political Reform Act.

### 2. Adoption of Standard Code of FPPC

The terms of 2 California Code of Regulations section 18730 and any future amendments to it duly adopted by the FPPC are hereby adopted and incorporated herein by reference. This regulation and the Appendix attached hereto designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of High Tech Middle. This code shall take effect when approved by the Board of Supervisors for the County of San Diego.

### 3. Filing of Statements of Economic Interests

Pursuant to Section 4 of the model code set forth in 2 California Code of Regulations section 18370(b), designated employees set forth in the Appendix shall file statements of economic interests (Form 700) with the Secretary of High Tech Middle. Upon receipt of the statements of the members of the Board of Directors of the School and the Chief Executive Officer, the Secretary shall make and retain copies and forward the originals of these statements to the Clerk of the Board of Supervisors for the County of San Diego. Statements for all other designated employees shall be retained by the Secretary.

APPROVED AND ADOPTED by the Board of Directors of the High Tech Middle Charter School on the 25<sup>th</sup> day of August, 2003.

ATTEST:

Kay Davis

Kay Davis, Secretary to the Board of Directors

APPROVED AS TO FORM AND LEGALITY  
COUNTY COUNSEL

By Thomas J. Harron  
CHIEF DEPUTY COUNTY COUNSEL

Approved and/or authorized by the Board  
of Supervisors of the County of San Diego  
Date 6/15/04 Minute Order No. 26  
THOMAS J. PASTUSZKA  
Clerk of the Board of Supervisors  
By Thomas J. Pastuszka  
Deputy Clerk

**APPENDIX TO  
CONFLICT OF INTEREST CODE  
OF  
HIGH TECH MIDDLE**

**Preamble**

Any person designated in Section I of this Appendix who is unsure of any right or obligation arising under this Code may request a formal opinion or letter of advice from the FPPC or an opinion from the Authority's General Counsel. (Gov. Code § 83114, 2 Cal. Code of Regs. § 18730(b)(ii) A person who acts in good faith in reliance on an opinion issued to him or her by the FPPC shall not be subject to criminal or civil penalties for so acting, provided that all material facts are stated in the opinion request. (Gov. Code § 83114(a).)

Opinions rendered by General Counsel do not provide any statutory defense to an alleged violation of conflict of interest statutes or regulations. The prosecuting agency may, but is not required to, consider a requesting party's reliance on General Counsel's opinion as evidence of good faith. In addition, High Tech Middle may consider whether such reliance should constitute a mitigating factor to any disciplinary action that High Tech Middle may bring against the requesting party under Government Code section 91003.5.

**I.**

**Designated Employees**

<u>Designated Employees</u>	<u>Categories Disclosed</u>
Members of the Board of Directors	All
Chief Executive Officer/President	All
General Counsel	All
Chief Financial Officer/Treasurer	All
<i>[Business Services Manager]</i>	<i>[All]</i>
<i>[Director of Human Resources]</i>	<i>[2]</i>
<i>[Assistant Superintendent for Educational Services]</i>	<i>[2]</i>
<i>[Director of Accounting]</i>	<i>[2]</i>

Consultants<sup>1</sup>

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## II.

### Disclosure Categories

#### Category 1.

A designated employee in this category shall report all interests in real property, and investments in, and income from business entities of the type to operate or provide any of the following:

- Accounting or auditing services
- Banks and savings and loans
- Computer hardware or software, or computer services or consultants
- Communications equipment or services
- Educational services, supplies and materials
  - Entities or persons who have filed claims against High Tech Middle or have claims pending against High Tech Middle
- Insurance brokers and agencies
- Insurance adjusting, claims auditing or administration, or underwriting services
- Office equipment or supplies
- Personnel and employment companies and services
- Printing or reproduction services, publications, and distribution
- Securities, investment or financial services companies
- Title insurance and escrow

#### Category 2.

A designated employee in this category shall disclose all business positions in, investments in, and income from any business of the type to provide personnel, services, supplies, material, machinery, or equipment to High Tech Middle and is associated with the job assignment or position of the designated employee.

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<sup>1</sup> With respect to Consultants, the School Chief Executive Officer may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus is not required to comply with the disclosure requirements described in these categories. Such determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The School Chief Executive Officer shall forward a copy of this determination to the San Diego County Board of Supervisors. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.